



12/23/2013

1 MORGAN, LEWIS & BOCKIUS LLP  
 2 NICOLE A. DILLER (SBN 154842)  
 ndiller@morganlewis.com  
 3 SACHA M. STEENHOEK (SBN 253743)  
 ssteenhoek@morganlewis.com  
 One Market, Spear Street Tower  
 4 San Francisco, CA 94105-1126  
 Tel: 415.442.1000  
 5 Fax: 415.442.1001

6 Attorneys for Defendants Facebook, Inc., the  
 Facebook, Inc. Health and Welfare Plan, Jabil  
 7 Circuit, Inc., the Jabil Circuit, Inc. Health Benefit Plan,  
 Toyota Motor Sales USA, Inc., TE Connectivity Ltd  
 (erroneously sued as Tyco Electronics Corporation),  
 8 the TE Connectivity Health and Welfare Benefits Plan  
 (erroneously sued as Tyco Electronics Corporation  
 Health and Welfare Plan), and TE Connectivity  
 9 Networks, Inc.

10  
 11 DARON L. TOOCH (State Bar No. 137269)  
 dtooch@health-law.com  
 12 KATHERINE M. DRU (State Bar No. 280231)  
 HOOPER, LUNDY & BOOKMAN, P.C.  
 13 1875 Century Park East, Suite 1600  
 Los Angeles, CA 90067-2517  
 Tel: 310-551-8111  
 14 Fax: 310-551-8181

15 Attorneys for Plaintiffs

16 UNITED STATES DISTRICT COURT  
 17 NORTHERN DISTRICT OF CALIFORNIA  
 18 SAN JOSE DIVISION

19 BAY AREA SURGICAL GROUP,  
 20 INC., et al.,

21 Plaintiffs,

22 vs.

23 AETNA LIFE INSURANCE  
 24 COMPANY, et al.,

25 Defendants.

26 Case No. 5:13-cv-05430 EJD

27  
**28 STIPULATION TO EXTEND DEFENDANTS  
 FACEBOOK, INC., FACEBOOK, INC.  
 HEALTH AND WELFARE PLAN, JABIL  
 CIRCUIT, INC., JABIL CIRCUIT, INC.  
 HEALTH BENEFIT PLAN, TOYOTA MOTOR  
 SALES USA, INC., TE CONNECTIVITY LTD  
 (ERRONEOUSLY SUED AS TYCO  
 ELECTRONICS CORPORATION), THE TE  
 CONNECTIVITY HEALTH AND WELFARE  
 BENEFITS PLAN (ERRONEOUSLY SUED AS  
 TYCO ELECTRONICS CORPORATION  
 HEALTH AND WELFARE PLAN), AND TE  
 CONNECTIVITY NETWORK, INC.'S  
 DEADLINE TO RESPOND TO COMPLAINT**

Judge: Hon. Edward J. Davila  
 Trial Date: None Set

29  
**STIPULATION TO EXTEND TIME  
 TO RESPOND TO COMPLAINT  
 CASE NO. 5:13-CV-05430-EJD**

1           Plaintiffs Bay Area Surgical Group, Inc., Knowles Surgery Center, LLC, National  
 2 Ambulatory Surgery Center, LLC, Los Altos Surgery Center, LP, Forest Ambulatory Surgical  
 3 Associates, LP, and SOAR Surgery Center, LLC, and Defendants Facebook, Inc. and the  
 4 Facebook, Inc. Health and Welfare Plan (the “Facebook Defendants”), Jabil Circuit, Inc. and the  
 5 Jabil Circuit, Inc. Health Benefit Plan (the “Jabil Defendants”), Toyota Motor Sales USA, Inc.  
 6 (“TMS”), TE Connectivity Ltd. (erroneously sued as Tyco Electronics Corporation), the TE  
 7 Connectivity Health and Welfare Benefits Plan (erroneously sued as Tyco Electronics  
 8 Corporation Health and Welfare Plan), and TE Connectivity Networks, Inc. (the “TE  
 9 Defendants”), through their undersigned counsel of record, stipulate to extend the date for the  
 10 Facebook Defendants, the Jabil Defendants, TMS, and the TE Defendants to answer or otherwise  
 11 respond to Plaintiffs’ initial complaint (the “Complaint”) in this matter as follows:

12           WHEREAS, Plaintiffs filed the Complaint on November 22, 2013;

13           WHEREAS, the Facebook Defendants were served with the Complaint by personal  
 14 service on November 26, 2013;

15           WHEREAS, the Facebook Defendants’ original deadline to answer or otherwise respond  
 16 to the Complaint was December 17, 2013;

17           WHEREAS, the Jabil Defendants were served with the Complaint by personal service on  
 18 November 25, 2013;

19           WHEREAS, the Jabil Defendants’ original deadline to answer or otherwise respond to the  
 20 Complaint was December 16, 2013;

21           WHEREAS, TMS was served with the Complaint by personal service on November 25,  
 22 2013;

23           WHEREAS, TMS’s original deadline to answer or otherwise respond to the Complaint  
 24 was December 16, 2013;

25           WHEREAS, the TE Defendants were served with the Complaint by personal service on  
 26 November 25, 2013;

27           WHEREAS, the TE Defendants’ original deadline to answer or otherwise respond to the  
 28 Complaint was December 16, 2013;

WHEREAS, on December 11, 2013, Plaintiffs filed a stipulation with this Court stating that no defendant would be required to respond to the Complaint before January 10, 2014;

WHEREAS, the Facebook Defendants, the Jabil Defendants, TMS, and the TE Defendants have requested an extension of time to answer or otherwise respond to the Complaint;

WHEREAS, Plaintiffs have agreed to extend the time for the Facebook Defendants, the Jabil Defendants, TMS, and the TE Defendants to answer or otherwise respond to the Complaint until January 31, 2014;

WHEREAS, the parties agree that if any of the Facebook Defendants, the Jabil Defendants, TMS or the TE Defendants cease to be represented by Morgan Lewis and instead retains Aetna's counsel of record for representation in this matter, such defendant's deadline to respond to the Complaint will revert to January 10, 2014;

NOW THEREFORE, IT IS STIPULATED by and between Plaintiffs and the Facebook Defendants, the Jabil Defendants, TMS, and the TE Defendants, through their counsel of record, that the deadline for the Facebook Defendants, the Jabil Defendants, TMS, and the TE Defendants to answer or otherwise respond to the Complaint shall be extended until January 31, 2014 provided they retain their current counsel of record through that date.

## IT IS SO STIPULATED

Dated: December 20, 2013 MORGAN, LEWIS & BOCKIUS LLP

By /s/ Nicole Diller

NICOLE A. DILLER

Attorneys for Defendants Facebook, Inc., the Facebook, Inc. Health and Welfare Plan, Jabil Circuit, Inc., the Jabil Circuit, Inc. Health Benefit Plan, Toyota Motor Sales USA, Inc., TE Connectivity Ltd (erroneously sued as Tyco Electronics Corporation), the TE Connectivity Health and Welfare Benefits Plan (erroneously sued as Tyco Electronics Corporation Health and Welfare Plan), and TE Connectivity Networks, Inc.

Dated: December 20, 2013

**HOOPER, LUNDY & BOOKMAN, P.C.**

By /s/ *Katherine M. Dru*  
(as authorized on 12/20/2013)

KATHERINE M. DRU  
Attorneys for Plaintiffs